

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANDRES BARRAZA,
J. MERCED RODRIGUEZ-BARAJAS,
ISMAEL BAJO PENA,
RUBEN AVILA BARRAZA, and
JESUS GERMAN-DIAZ,

Defendants.

8:13CR287

ORDER

This matter is before the court on the motion for an extension of time by defendant J. Merced Rodriguez-Barajas (Rodriguez-Barajas) (Filing No. 50). Rodriguez-Barajas seeks until November 18, 2013, in which to file pretrial motions in accordance with the progression order. Rodriguez-Barajas' counsel represents that government's counsel has no objection to the motion. Upon consideration, the motion will be granted, and the pretrial motion will be extended to November 18, 2013, as to all defendants.

IT IS ORDERED:

Defendant Rodriguez-Barajas' motion for an extension of time (Filing No. 50) is granted. All defendants are given until **on or before November 18, 2013**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendants in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., **the time between October 15, 2013, and November 18, 2013**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendants' counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 15th day of October, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge